

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address J. Bennett Friedman, Esq. (SBN 147056) Michael Sobkowiak, Esq. (SBN 242718) Friedman Law Group, P.C. 1900 Avenue of the Stars, 11th Fl., Los Angeles, CA 90067 T: (310) 552-8210; F: (310) 733-5442 E: jfriedman@flg-law.com; msobkowiak@flg-law.com	FOR COURT USE ONLY
<input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Jeffrey A. Rinde	
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION	
In re: Mark Elias Crone, <div style="text-align: right;">Debtor(s).</div>	CASE NO.: 2:17-bk-12392-BR ADVERSARY NO.: 2:17-ap-01311-BR CHAPTER: 7
Jeffrey A. Rinde, <div style="text-align: right;">Plaintiff(s).</div> <div style="text-align: center; margin: 10px 0;">vs.</div> Mark Elias Crone, <div style="text-align: right;">Defendant(s).</div>	<div style="text-align: center; padding: 10px 0;"> JOINT STATUS REPORT [LBR 7016-1(a)(2)] </div> <div style="padding: 5px;"> DATE: 09/05/2018 TIME: 2:00 p.m. COURTROOM: 1668 ADDRESS: 255 E. Temple St. Los Angeles, CA 90012 </div>

The parties submit the following JOINT STATUS REPORT in accordance with LBR 7016-1(a)(2):

A. PLEADINGS/SERVICE:

- | | | |
|---|---|-----------------------------|
| 1. Have all parties been served with the complaint/counterclaim/cross-claim, etc. (Claims Documents)? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Have all parties filed and served answers to the Claims Documents? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Have all motions addressed to the Claims Documents been resolved? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4. Have counsel met and conferred in compliance with LBR 7026-1? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

5. If your answer to any of the four preceding questions is anything other than an unqualified "YES," please explain below (*or on attached page*):

B. READINESS FOR TRIAL:

1. When will you be ready for trial in this case?
- | <u>Plaintiff</u> | <u>Defendant</u> |
|------------------|------------------|
| January, 2019 | Feb., 2019 |
2. If your answer to the above is more than 4 months after the summons issued in this case, give reasons for further delay.
- | <u>Plaintiff</u> | <u>Defendant</u> |
|--|---|
| Defendant continues to refuse to respond to outstanding discovery. A Motion to Compel is likely forthcoming. | Defendant is awaiting promised discovery responses from Plaintiff. A motion to compel will be filed if necessary. |
3. When do you expect to complete your discovery efforts?
- | <u>Plaintiff</u> | <u>Defendant</u> |
|--|--|
| The discovery cut off date is scheduled for October 26, 2018. Plaintiff will likely seek an extension. | Oct. 26, 2018 provided Plaintiff produces Mr. Rinde for deposition in a timely manner. |
4. What additional discovery do you require to prepare for trial?
- | <u>Plaintiff</u> | <u>Defendant</u> |
|---|------------------|
| Interrogatories, Requests for Admissions, Third Party Discovery, Requests for Production of Documents, Depositions (pending). | TBD |

C. TRIAL TIME:

1. What is your estimate of the time required to present your side of the case at trial (*including rebuttal stage if applicable*)?
- | <u>Plaintiff</u> | <u>Defendant</u> |
|------------------|------------------|
| 3-5 days | 3 days |
2. How many witnesses do you intend to call at trial (*including opposing parties*)?
- | <u>Plaintiff</u> | <u>Defendant</u> |
|----------------------|------------------|
| Unknown at this time | TBD |

3. How many exhibits do you anticipate using at trial?

Plaintiff
Unknown at this time

Defendant
TBD

D. PRETRIAL CONFERENCE:

A pretrial conference is usually conducted between a week to a month before trial, at which time a pretrial order will be signed by the court. [See LBR 7016-1.] If you believe that a pre-trial conference is not necessary or appropriate in this case, please so note below, stating your reasons:

Plaintiff
Pretrial conference ☒ is ☐ is not requested
Reasons:
Narrow issues for trial

Defendant
Pretrial conference ☒ is ☐ is not requested
Reasons:
Narrow issues for trial

Plaintiff
Pretrial conference should be set after:
(date) 11/15/2018

Defendant
Pretrial conference should be set after:
(date) _____

E. SETTLEMENT:

1. What is the status of settlement efforts?

The parties attended mediation before Judge Neil Bason on January 19, 2018. The case did not settle, and the parties have not attempted further settlement efforts. Mediation may be more productive with new counsel.

2. Has this dispute been formally mediated? ☒ Yes ☐ No
If so, when?
January 19, 2018

3. Do you want this matter sent to mediation at this time?

Plaintiff
☐ Yes ☒ No

Defendant
☒ Yes ☐ No

F. FINAL JUDGMENT/ORDER:

Any party who contests the bankruptcy court's authority to enter a final judgment and/or order in this adversary proceeding must raise its objection below. Failure to select either box below may be deemed consent.

Plaintiff

☒ I do consent

☐ I do not consent

to the bankruptcy court's entry of a final judgment and/or order in this adversary proceeding.

Defendant

☒ I do consent

☐ I do not consent

to the bankruptcy court's entry of a final judgment and/or order in this adversary proceeding.

G. ADDITIONAL COMMENTS/RECOMMENDATIONS RE TRIAL: (Use additional page if necessary)

Plaintiff:

Discovery has become an issue in this case. Notwithstanding the fact that Defendant has failed to respond to discovery, which is now several weeks past due, on August 17, 2018, Defendant served Notices of Subpoena to 12 persons in the related adversary case CKR Law, LLP v. Crone (adv. case no. 2:17-ap-01310-BR). More surprising is that the purported subpoenas allegedly relate to counter claims that Defendant is trying to assert in this case, directly violating this Court's June 7, 2018 Order selling all pre-petition claims owned by Defendant/his Estate to Plaintiff (see In re Mark Elias Crone, Ch 7 case no. 2:17-bk-12391-BR, dkt. no. 86).

Defendant:

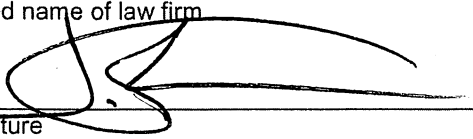
Discovery has been stalled; Plaintiff sent document responses in 2 batches but refused to identify which document pertains to which question, which questions Plaintiff has no documents on, and which questions Plaintiff refuses to provide documents on. Plaintiff on 7/23/18 agreed to provide revised responses to clarify, and to set a joint date for both sides' responses. Plaintiff requested, and Def. agreed, to push out the production date due to being busy with other matters, and Def. agreed. Plaintiff is now refusing to abide by the agreement re mutual production of discovery memorialized in correspondence dated 7/23/18. Plaintiff's comment about alleged violation of this Court's order is raised for the first time in this Status Conference Report, and Defendant is unaware of what Plaintiff is referring to on that. Defendant is ready, willing and able to produce discovery once Plaintiff proposes an exchange date, and hopes to avoid the need for discovery motions.

Respectfully submitted,

Date: 08/22/2018

Friedman Law Group, P.C.

Printed name of law firm


Signature

J. Bennett Friedman, Esq.

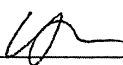
Printed name

Attorney for: Jeffrey A. Rinde

Date: 08/22/2018

Leslie Cohen Law

Printed name of law firm


Signature

Leslie Cohen, Esq.

Printed name

Attorney for: Mark Elias Crone

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
1900 Avenue of the Stars, 11th Floor, Los Angeles, CA 90067

A true and correct copy of the foregoing document entitled **JOINT STATUS REPORT** will be served or was served
(a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 8/22/2018, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- **Leslie A Cohen** leslie@lesliecohenlaw.com, jaime@lesliecohenlaw.com;allie@lesliecohenlaw.com
- **Howard M Ehrenberg (TR)** ehrenbergtrustee@sulmeyerlaw.com, ca25@ecfcbis.com;C123@ecfcbis.com;hehrenberg@ecf.inforuptcy.com
- **J. Bennett Friedman** jfriedman@flg-law.com, msobkowiak@flg-law.com;jmartinez@flg-law.com
- **United States Trustee (LA)** ustpreion16.la.ecf@usdoj.gov

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) 8/22/2018, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

The Hon. Barry Russell
United States Bankruptcy Court
255 E. Temple Street, Suite 1660
Los Angeles, CA 90012

David M. Goodrich, Esq.
Steven F. Werth, Esq.
Sulmeyer Kupetz
333 South Hope Street, 35th Floor
Los Angeles, CA 90071

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

8/22/2018

Date

Jackeline Martinez

Printed Name

/s/Jackeline Martinez

Signature